



Atty. Docket:38-10(15849)B

AF/1631\$
JFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of Barry S. Goldman *et al.*

Art Unit: 1631

Serial No.: 09/902,540

Examiner: Carolyn L. Smith

Filed: July 10, 2001

For: Myxococcus xanthus Genome Sequences
and Uses Thereof

AMENDMENT

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please cancel without prejudice claims 1, 8, 12-19, 27-28, 30-31 and 34-42 in order to simplify claims and issues on appeal.

The status of claims standing after this amendment is shown on the following claim listing.

Certificate of Mailing - I certify that the correspondence is being deposited with the United States Postal Service in an envelope addressed to the Commissioner of Patents with postage for first class mail on July 8, 2004

Respectfully submitted,

Thomas E. Kelley
Registration No. 29,938
Attorney for Applicants
Phone: 860-572-5274